July 13, 2015
1420 East 6th Ave.
P.O. Box 200701
Helena, MT 59620-0701

Environmental Quality Council
Montana Department of Environmental Quality
Montana Department of Fish, Wildlife and Parks
    Fisheries Division
    Endangered Species Coordinator
    Native Species Coordinator - Fisheries
    Region 3- Bozeman
Montana State Library, Helena
MT Environmental Information Center
Montana Audubon Council
Montana Wildlife Federation
Wayne Hadley, Deer Lodge MT
Madison Conservation District, Ennis MT
Montana River Action, Bozeman, MT
U.S. Army Corps of Engineers, Helena
U.S. Fish and Wildlife Service, Helena
State Historic Preservation Office, Helena
Turner Enterprises, Inc. Flying D Ranch LLc., Bozeman MT

Ladies and Gentlemen:

Enclosed is an Environmental Assessment (EA) prepared for the Future Fisheries Improvement Program (FFIP). The Program tentatively plans to provide partial funding to a project that would provide fish passage over an existing irrigation structure located within Cherry Creek, a stream where pure westslope cutthroat trout have been reintroduced. The intent of the project is to improve connectivity within the Cherry Creek drainage, maintaining greater genetic integrity and improving the overall fishery. Cherry Creek is a tributary to the Madison River located about 10 miles east of the town of Norris in Madison County.

Please submit any comments by 5:00 P.M., August 12, 2015 to Montana Fish, Wildlife & Parks at the address listed above. The funding for this project through the FFIP is contingent upon approval being granted by the Fish & Wildlife Commission. If you have any questions, feel free to contact me at (406) 444-2432. Please note that this draft EA will be considered as final if no substantive comments are received by the deadline listed above.

Sincerely,

Michelle McGree, Program Officer
Habitat Bureau
Fisheries Division
e-mail: mmcgree@mt.gov

ENVIRONMENTAL ASSESSMENT
Fisheries Division
Montana Fish, Wildlife & Parks
Cherry Creek Fish Passage

General Purpose: The 1995 Montana Legislature enacted sections 87-1-272 through 273, MCA that direct Montana Fish, Wildlife & Parks (FWP) to administer a Future Fisheries Improvement Program (FFIP). The program involves providing funding for physical projects to restore degraded fish habitat in streams and lakes for the purpose of improving wild fisheries. The legislature established an earmarked funding account to help accomplish this goal. Additionally, the 1999 Montana Legislature amended statute sections 87-1-273, 15-38-202 and Section 5, Chapter 463, Laws of 1995 to create a bull trout and cutthroat trout enhancement program. This legislation was amended again in 2013 to open the program to all native fish species (statute section 87-1-283). The program now calls for the enhancement of native fish through habitat restoration, natural reproduction and reductions in species competition by way of the FFIP.

The FFIP is proposing to provide partial funding to a project calling for fish passage over an existing irrigation structure located within Cherry Creek, a stream where pure westslope cutthroat trout have been reintroduced. The intent of the project is to improve connectivity within the Cherry Creek drainage, maintaining greater genetic integrity and improving the overall fishery.

I. Location of Project:

The project site is located on Cherry Creek, a tributary to the Madison River, within Township 3 South, Range 2 East, Section 26 in Madison County (Figure 1). It is located about 10 miles east of the town of Norris.

II. Need for the Project:

One goal within FWP's Statewide Fisheries Management Plan for the fisheries management program is to "protect, maintain, and restore native fish populations, their habitats, life cycles, and genetic diversity to ensure stewardship of native species and to ensure angling opportunities whenever possible." By implementing habitat restoration projects through the FFIP, this critical goal can be achieved. Cherry Creek, a tributary to the Madison River, is home to one of the most ambitious piscicide renovation projects ever completed for cutthroat trout conservation. Nearly 100km of stream and 3ha of lake habitat is now available exclusively to populations of genetically pure WCT, a native species and a Montana species of special concern. This project would improve fish passage in the lower section of stream, improving connectivity and increasing the health of the fishery.

III. Scope of the Project:

This proposed fish passage project is within the Cherry Creek native WCT project area and would connect the lowest 8 miles of stream below an irrigation structure to the 53+ stream miles located above the structure. Presently, and for the past 50+ years, the concrete irrigation structure

acts as a barrier to fish (Figure 2). Removal of the structure is not feasible due to the large financial requirement, a desire to retain a means to fill irrigation ditches should current water rights management be changed, and the risk of negatively influencing a large riparian spring complex immediately upstream and alongside the barrier.

Passage would be achieved by installing two rock-weir structures, placed immediately downstream of the existing irrigation dam (Figure 3). The rock-weirs would predominantly consist of boulders that create two ascending step pools. An 18" difference in elevation is the maximum desired from top of weir to downstream water surface elevation of the creek.

The total estimated cost for this project is $15,884. Of this total, the FFIP would be contributing up to $7,080. The remaining funds will come from other sources and from in-kind services:

Contributor	In-kind services	In-kind cash
Applicant	$1,600	$7,204
TOTAL = $8,804		

IV. Environmental Impact Review Checklist:

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment

Project Title: Cherry Creek Fish Passage
Division/Bureau: Fisheries Division / Habitat Bureau (FFIP)
Description of Project: The FFIP tentatively plans to provide partial funding to a project calling for fish passage over an existing irrigation structure located within Cherry Creek, a stream where pure westslope cutthroat trout (WCT) were reintroduced.

A. POTENTIAL IMPACTS TO THE PHYSICAL ENVIRONMENT

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Geology and soil quality, stability and moisture				X		
2. Air quality or objectionable odors				X		
3. Water quality, quantity and distribution (surface or groundwater)			X			X
4. Existing water right or reservation				X		
5. Vegetation cover, quantity and quality			X			X
6. Unique, endangered, or fragile vegetative species				X		
7. Terrestrial or aquatic life and/or habitats			X			X

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
8. Unique, endangered, or fragile wildlife or fisheries species			X			X
9. Introduction of new species into an area				X		
10. Changes to abundance or movement of species			X			X

B. POTENTIAL IMPACTS ON THE HUMAN ENVIRONMENT

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Noise and/or electrical effects				X		
2. Land use				X		
3. Risk and/or health hazards				X		
4. Community impact				X		
5. Public services/taxes/utilities				X		
6. Potential revenue and/or project maintenance costs				X		
7. Aesthetics and recreation				X		
8. Cultural and historic resources				X		X
9. Evaluation of significance				X		
10. Generate public controversy				X		

V. Explanation of Potential Impacts on the Physical Environment.

3. Water quantity, quality, and distribution.

No changes in stream flow would occur in Cherry Creek as a result of the proposed project. Short-term increases in turbidity may occur during project construction. To minimize turbidity, operation of equipment in the stream channel will be minimized to the extent practicable. The Department of Environmental Quality will be contacted to determine narrative conditions required to meet short-term water quality standards and protect aquatic biota (318 authorization).

5. Vegetation cover, quantity and quality.

This project would install rock-weir structures in the stream channel, which could cause minor disturb vegetation in the immediate area during construction. The impacts would be limited to the use of heavy equipment, including routes and staging areas. However,

this area has been disturbed previously due to diversion/ditch construction and maintenance. The impacted plant species will be dominated by grasses and forbs. Some willows may be removed to connect the rock weir structures into the bank. All disturbed sites within the project area will be graded to contour and revegetated upon the completion of the project. The revegetation will mimic the native plant communities that were present prior to the project and where appropriate, locally sourced willow cuttings will be planted. Long-term impacts of this project are considered positive.

7. Terrestrial and aquatic life habitats.

Construction activities that will affect terrestrial and aquatic life habitats will be short term and be confined to the project area, resulting from the use of construction equipment, staging of material, and the installation of boulder rock-weir structures. The work will not occur when westslope cutthroat trout are spawning, eggs are in redds, or fry are emerging. A small amount of habitat may be disturbed in the project area for the construction period, but in the long term, this project should increase aquatic through increased stream function and connectivity.

8. Unique, endangered, or fragile wildlife or fisheries species.

This project will affect westslope cutthroat trout, a species that is federally recognized and designated a "Species of Concern" in Montana. The impacts on these species as a result of this project are predicted to be positive. The project will provide significant improvements in connectivity within the Cherry Creek drainage. The enhanced mobility will enable a larger fish population to freely occupy high quality late summer and winter habitat (downstream of irrigation structure), yet maintain access to upper stream reaches; necessary for a fluvial life history.

10. Changes to abundance or movement of species.

The improved fish passage resulting from this project should increase stream connectivity and provide unobstructed movement of aquatic species. This impact is considered positive and could increase the health of WCT populations in Cherry Creek.

VI. Explanation of Impacts on the Human Environment.

8. Cultural and historic resources.

No cultural or historical resource impacts are anticipated. However, the State Historical Preservation Office will be notified of this project and any potential concerns will be addressed.

VII. Narrative Evaluation and Comment.

There are no anticipated cumulative effects.

VIII. Discussion and Evaluation of Reasonable Alternatives.

1. No Action Alternative.

If no funding is provided through the FFIP, the applicant would have to seek additional sources of funding to complete the project, or the existing irrigation structure would continue to be a passage barrier to fish in Cherry Creek.

2. The Proposed Alternative.

The proposed alternative intends to provide partial funding through the FFIP to construct two rock-weir structures immediately downstream of an existing irrigation structure that blocks upstream fish passage for WCT.

IX. Environmental Assessment Conclusion Section.

1. Other groups or agencies contacted or which may have overlapping jurisdiction:

Madison Conservation District, Montana Department of Natural Resources and Conservation, US Fish and Wildlife Service, US Army Corps of Engineers, Montana Department of Environmental Quality, State Historic Preservation Office

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

None.

3. Is an EIS required? No.

We conclude, from this review, that the proposed activities will have an overall positive impact on the physical and human environment, and will therefore not require the extensive analysis associated with an EIS.

4. Level of public involvement.

The project application to the FFIP has been posted on the FWP webpage for public comment. No comments have been received to date. The proposed project was reviewed and supported by the public review panel of the FFIP. The proposed project also will be reviewed by the Fish & Wildlife Commission, and funding will be contingent upon their approval. The EA will be distributed to all individuals and groups listed on the cover letter and will be published on the FWP webpage: **www.fwp.mt.gov**

5. Duration of comment period?

Public comment will be accepted through 5:00 PM on August 12, 2015.

6. Person(s) responsible for preparing the EA.

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Contributions: Eric Leinonen Turner Enterprises, Inc. Flying D Ranch LLc.

FIGURE 1

Area Map #1: Location of fish passage project within Cherry Creek of the Madison River.

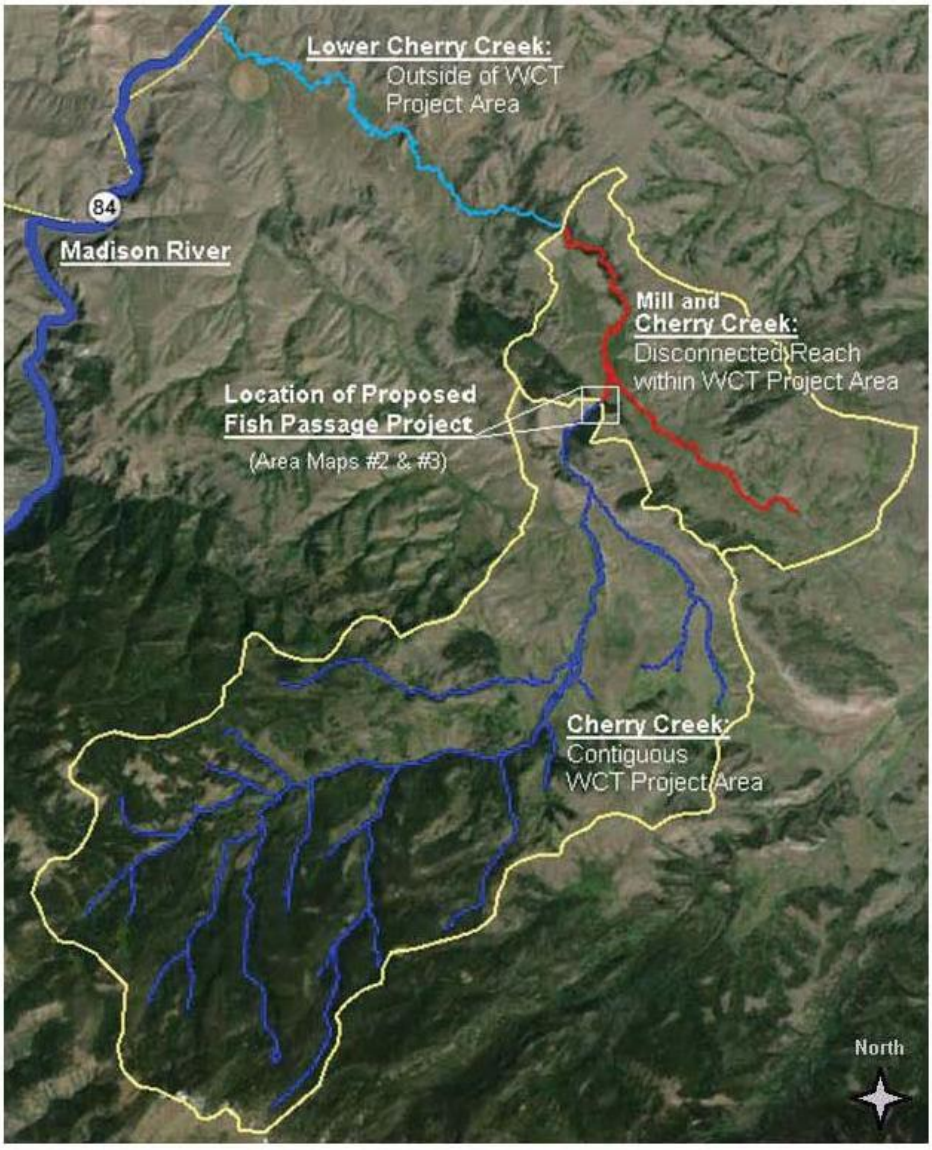

FIGURE 2

Photo #2: The existing Irrigation structure as seen in May, 2015.

(Photo taken from mid-stream, approximately 40' downstream of structure)

FIGURE 3